

REMARKS

Claims 1-25 are pending in the application. Claim 1 has been amended to indicate that the reactive silane groups of component b) are incorporated as the reaction product of an isocyanate group and a compound corresponding to formula IV. Support for the amendment can be found in cancelled Claim 4. Claims 3-6, 9-12, 15-18, and 21-24 have been cancelled.

Rejections Under 35 U.S.C. § 103(A)

Claims 1-3, 5-9, 11-15, 17-21 and 23-25 stand rejected under 35 U.S.C. § 103(A) as being obvious over U.S. Patent No. 6,265,517 B1 to Stuart (hereinafter "Stuart"). The Examiner asserts that Stuart discloses the claimed polyether urethane containing composition with the exception of the degree of unsaturation, which would have been obvious based on the disclosure in Stuart of using Acclaim polyols.

The present invention, as in amended Claim 1, is directed to a moisture-curable, alkoxysilane-functional polyether urethane that includes

- a) 20 to 90% of a polyether urethane containing two or more reactive silane groups and one or more polyether segments, where the reactive silane groups are incorporated as the reaction product of an isocyanate group with a compound corresponding to formula I, and
- b) 10 to 80% of a polyether urethane containing one reactive silane group and one or more polyether segments, where the reactive silane groups of component b) are incorporated as the reaction product of an isocyanate group and a compound corresponding to formula IV.

Stuart discloses a silylated polyether urethane prepolymers prepared from endcap precursors containing dialkyl maleates having alkyl groups containing greater than four carbon atoms.

As the Examiner indicates in paragraph 3 of the Office Action, "Claims 4, 10, 16 and 22 are neither taught nor suggested by Stuart.... There is no teaching or motivation to use an aminosilane as required by claim 4."

Applicants have amended Claim 1 to limit the reactive silane groups of component b) to those incorporated as the reaction product of an isocyanate group and a mono-silane functional compound corresponding to formula IV.

Stuart does not disclose or in any way suggest the polyether urethane containing one reactive silane group in component b). Therefore, Stuart does not render the amended claims obvious and the rejection under 35 U.S.C. § 103(A) should be withdrawn.

Double Patenting Rejections

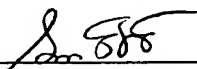
Claims 1-25 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-25 of copending Application Ser. No. 10/690,751 and Claims 1-8 of copending Application Ser. No. 10/690,931.

Applicants submit herewith, appropriate Terminal Disclaimers for each of the cited copending applications. Because the Terminal Disclaimers overcome the double patenting rejections, the rejections should be withdrawn.

CONCLUSION

In view of the above amendments and remarks, Applicants assert that the claims are in form for allowance. Therefore, reconsideration of the rejections and allowance of Claims 1, 2, 7, 8, 13, 14, 19, 20, and 25 are respectfully requested.

Respectfully submitted,

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